

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ADRIANNA PEDRIN,
Plaintiff,
v.
JUDGE LAW FIRM,
Defendant.

Case No.: 15CV1942 BEN (KSC)

**ORDER GRANTING MOTION FOR
LEAVE TO PROCEED IFP**

[Docket No. 4]

Plaintiff Adrianna Pedrin has filed a civil complaint and a new motion to proceed *in forma pauperis* (“IFP”).¹ (Docket Nos. 1, 4). Plaintiff’s initial motion to proceed IFP was denied because Plaintiff failed to include the necessary information to evaluate her ability to pay the required filing fee.

All parties instituting any civil action in a district court must pay a filing fee. 28 U.S.C. § 1914(a). An action may proceed despite a plaintiff’s failure to prepay the entire fee only if the plaintiff is granted leave to proceed IFP pursuant to 28 U.S.C. § 1915(a).

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¹ The Court notes that Plaintiff has filed a related action, *Pedrin v. Judge Law Firm*, 15cv1932 BEN (KSC), in which she has also filed a new motion to proceed IFP.


Under 28 U.S.C. § 1915(a)(1),
any court of the United States may authorize the commencement,
prosecution or defense of any suit, action or proceeding . . . without
prepayment of fees or security therefor, by a person who submits an affidavit
that includes a statement of all assets such [person] possesses that the person
is unable to pay such fees or give security therefor.

Plaintiff's IFP motion states that she is currently unemployed. (Mot. to Proceed
IFP [Docket No. 4] at 2.) Plaintiff's primary sources of income, child and spousal
support, are consumed by her monthly expenses. (*Id.* at 2-3.) The motion to proceed IFP
is **GRANTED**.

The Court orders the Clerk to issue the summons and provide Plaintiff with an
"IFP Package," consisting of: (1) this Order; (2) a certified copy of the Complaint; (3)
the summons; and (4) a blank USM Form 285. Plaintiff shall complete the Form 285
and forward it to the U.S. Marshal. The U.S. Marshal shall serve a copy of the
Complaint and summons upon Defendants, as directed by Plaintiff on Form 285. *See* 28
U.S.C. § 1915(d). All costs of service shall be advanced by the United States. Plaintiff
shall serve upon Defendants or, if appearance has been entered by counsel, upon
Defendants' counsel, a copy of every further pleading or other document submitted for
consideration of the Court. Plaintiff shall include with the original paper to be filed with
the Clerk of the Court a certificate stating the manner in which a true and correct copy of
any document was served on the Defendants or counsel of Defendants and the date of
service. Any paper received by a district judge or magistrate judge which has not been
filed with the Clerk or which fails to include a Certificate of Service will be disregarded.

IT IS SO ORDERED.

Dated: December 30, 2015


Hon. Roger T. Benitez
United States District Judge